

Regular Session, 2010
HOUSE BILL NO. 1138
BY REPRESENTATIVE PONTI

ACT No. 619

1 AN ACT

2 To amend and reenact R.S. 23:1203.1(B)(introductory paragraph) and (1) and (J), relative
3 to workers' compensation; to provide relative to the medical treatment schedule; to
4 provide relative to a date by which rules will be promulgated; to provide for
5 implementation and application of such rules; to provide for an effective date; and
6 to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 23:1203.1(B)(introductory paragraph) and (1) and (J) are hereby
9 amended and reenacted to read as follows:

10 §1203.1. Medical treatment schedule

11 * * *

12 B. The director shall, through the office of workers' compensation
13 administration, promulgate rules in accordance with the Administrative Procedure
14 Act, R.S. 49:950; et seq., to establish a medical treatment schedule.

15 (1) Such rules shall be promulgated no later than ~~September 30, 2010~~
16 January 1, 2011.

17 * * *

18 J. After a medical provider has submitted to the payor the request for
19 authorization and the information required by the Louisiana Administrative Code,
20 Title 40, Chapter 27, the payor shall notify the medical provider of their action on
21 the request within five business days of receipt of the request. If any dispute arises
22 after ~~September 30, 2010~~ January 1, 2011, as to whether the recommended care,
23 services, or treatment is in accordance with the medical treatment schedule, or
24 whether a variance from the medical treatment schedule is reasonably required as

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 contemplated in Subsection I of this Section, any aggrieved party shall file, within
 2 fifteen calendar days, an appeal with the office of workers' compensation
 3 administration medical director on a form promulgated by the director. The medical
 4 director shall render a decision as soon as is practicable, but in no event, not more
 5 than thirty calendar days from the date of filing.

* * *

7 Section 2. This Act shall become effective upon signature by the governor or, if not
 8 signed by the governor, upon expiration of the time for bills to become law without signature
 9 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 10 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 11 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____